

**CLARK COUNTY
CLEAN WATER COMMISSION
Meeting Notes**

Wednesday, July 6, 2005

6:30 – 8:30 PM

Public Works Operations Conference Room
4700 NE 78th Street

Clark County Clean Water Commission Members Present

Robert Agard, Tim Crawford, Anne Jackson, Bill Owen, Patty Page, Susan Rasmussen, Art Stubbs, Virginia van Breemen, Ronald Wilson

Clark County Public Works Staff

Trista Kobluskie, Earl Rowell, Joel Rupley, Jim Soli

Public

Robert Even, Thom McConathy

Call to Order

Introduction

The members of the Clark County Clean Water Commission, the public, and Clark County staff were introduced. The meeting was then called to order.

Agenda and material review

The material for the meeting includes:

- 1) 7/06/05 Clean Water Commission Agenda
- 2) 6/01/05 Clean Water Commission Meeting Notes
- 3) Letters
 - a) Welcome letter to Clean Water Commissioner Wilson from the Board of County Commissioners (BOCC)
 - b) Welcome letter to Clean Water Commissioner Page from the BOCC
 - c) Thank you note to former Clean Water Commissioner Thoet
- 4) 6/21/05 Clean Water Commission Luncheon Memorialization
- 5) Discussion of staff
- 6) Chevron Car Wash
- 7) News Release on Clean Water Fee Mailing
- 8) 2005 Stormwater Utility Survey
- 9) Low Impact Development Letter
- 10) Clean Water Program Service Fee 2005 Call Statistics
- 11) 2005-06 Clean Water Program Budget
- 12) Water Resources Program Annual Expenditure Patterns and Related Investment Balance Growth

6/1/05 Clean Water Commission Meeting Notes

The 6/1/05 Clean Water Commission Notes were approved as submitted.



Meeting Notes

Communications with the Public

Mr. Rowell stated that communications with the public are regarding the fee. Mr. Stubbs asked if the issue with the mortgage companies not forwarding or paying Clean Water Program Service Fee bills had been cleared up. Mr. Rowell responded that this year the Treasurer's Office mailed a notice to property owners whose mortgage company had requested the Clean Water Program Service Fee.

Introductions

Mr. Stubbs introduced Ronald Wilson and Ms. Page who were appointed to the Clean Water Commission. Mr. Wilson is a member of the Salmon Creek/Hazel Dell Business Association and lives in the Salmon Creek Area. Ms. Page lives on a lot which is considered an erosion risk.

Public Comments

Mr. McConathy from Clark County Water Quality Resource Council made the first of three comments:

The Columbia River Fish Recovery Board met Tuesday with the Clark County Commissioners with regard to their recommendations by the Fish Board with regard to watershed improvements that are needed and commitments they are asking of Clark County. I think it would be very important for this Commission to speak with the Office of the Commissioners and to ask them to clarify their charge to you because these are major commitments that have not been within the purview of the Commissioners in the past, and I don't know which ones they would be assigning to you. Some of the elements within that had to do with limiting land divisions and ensuring the integrity of resource lands, the limiting of septic tanks on new properties within that area, and the monitoring of ground water and managing of ground water for water quality and for guaranteeing of minimum flows. These are all important matters that do relate to your charge, and I hope that you might make the appropriate changes within your charge. That is my first comment.

Mr. Stubbs asked Mr. McConathy for a copy of the report, and Mr. Agard stated that he has a copy.

Mr. McConathy made his second comment about the Chevron car wash on NE 99th Street:

I made questions as per item #6 in the packet. The questions which I asked have not been answered and have been misdirected in a way that often happens when you go through 'he says she says' through multiple mouths, and my query had to do with the stormwater on this site. The stormwater is associated with process water. You see that there is 5 gallons for each car, which is not at this time...they are saying it is going into the air; it is also going onto the street. With it is being tracked surfactants. Surfactants are a major problem with regard to fisheries. Surfactants are more of a problem even than the nutrients, in many situations, with regard to salmonids. Many of those surfactants are going into drains that, I believe, onsite directly and perhaps directly immediately offsite are going into county facilities. My query is the need to monitor for those surfactant levels, and there is a need because this is a pollutant that is going into a tributary of Salmon Creek, namely Suds Creek, through the county's facilities.



Mr. McConathy made his third comment:

Long range planning, according to page one headlines in the last two weeks, with regard to the massively demoted head of that group that was working with the Growth Management Plan, who was a Senior Planner that was moved from operations having to do with that to a new position having to do with the revision of all the environmental ordinances, presumably to comply with best available science and the Revised Western Stormwater Manual. Have you met with this staff member, and have you conveyed your needs with regard to your permitting responsibilities and the needs of changing those ordinances which he is working upon?

Mr. McConathy clarified that this has to do with a requirement in the new Phase I NPDES (National Pollutant Discharge Elimination System permit) to comply with best available science, and, subsequently with the Revised Western Stormwater Manual, and he asked the Commission to communicate with the staff member so that he does not work independently of the Clean Water Commission.

Mr. Agard asked for Water Resources staff to contact the staff member, Pat Lee. Mr. Rowell said that staff had been in contact with him. Mr. Agard asked if he would come under the Clean Water Program budget. Mr. Rowell responded that no, the staff member works in the Community Development department.

Mr. McConathy, Ms. Jackson and Mr. Agard discussed responsibility for the industrial process stormwater at the Chevron car wash on NE 99th Street. Mr. McConathy asserted that 5 gallons of water per vehicle cannot be accounted for. Mr. Agard asserted that the Chevron station is only responsible for water that drops onto the site, not for any water dropped onto the road. Mr. McConathy cited the Clean Water Act and disputed that the county is responsible for process industrial water. Mr. Agard pointed out the various private stormwater mechanisms on the site. Mr. McConathy stated that a guest at last month's meeting, Mr. Zimmerman, claimed that many proprietary vault systems never worked. Mr. Agard stated that the filter cartridges were approved by DOE and therefore were acceptable. Mr. Stubbs stated that the Commission would discuss the maintenance of such vaults at the next meeting. Mr. Rowell stated that county inspectors look at each vault and cartridge system for proper maintenance, however, inspections are difficult because the caps are difficult to remove.

Mr. McConathy asked if the county can monitor for surfactants within county facilities. Mr. Rowell offered to speak to the Water Resources monitoring staff regarding Mr. McConathy's question.

Mr. Even stated that private stormwater vaults are required to have a maintenance agreement with Stormwater Management (a Portland company that is approved by Clark County to provide stormwater vaults). They change the cartridge once a year, and they have an internal monitoring system that was approved by DOE. Mr. Owen asked if the monitoring is a service provided by Stormwater Management. Mr. Even replied yes, it is up to the owner of the private facility to contract with Stormwater Management.

New Business

Low Impact Development Update

Mr. Rupley listed the goals of the Low Impact Development pilot project as the following:

- finding the comparative environmental benefits of LID vs. standard practices
- finding the cost of installation and maintenance compared to standard practices
- identifying benefits for developers (i.e. marketing and pricing benefits of LID)
- identifying significant permitting issues



The pilot project will be a medium-sized development (50 +/- homes) that could be used as a demonstration. Mr. Rupley asked the Commissioners to comment on an invitation letter to the Building Industry Association to find a developer that is interested in working with the county on a Low Impact Development demonstration project.

Mr. Stubbs brought up the WSU Extension at 78th Street as a possible site.

Motion 2005-0706-01: Mr. Agard moved to approve the letter.

No vote was taken on the motion.

Mr. Owen asked for another bullet point in the letter to determine applicable LIDs for areas with limited infiltration (low permeability soils).

Mrs. Rasmussen asked for a more detailed description of how practical the developers will find LID.

Mr. Agard discussed the developer's viewpoint.

Ms. Page asked if the developers already know how to implement LID. Mr. Rupley suggested selecting a developer who already has experience in green development. He assured the Commissioners that the Community Development department has stated that permits for the LID pilot can be issued under existing code.

Mr. Owen asked for more details in the letter, such as post-construction monitoring and asking the developer to provide lessons learned. The group agreed that those details could come later in the process of identifying a developer for the project.

Ms. Page asked for revised wording at the end to specify that the developer would be working with the county and not be expected to deliver a finished product. The group agreed that Peter Capell's signature and the county letterhead would convey that message.

The Commissioners, Mr. McConathy and Mr. Rupley discussed whether the project could move forward under existing ordinances and code, and the group agreed that it could.

Mr. Owen requested that the letter be amended to include Ms. Page's comment and his own comment about low-permeability soils. Mr. Rupley and Ms. Jackson disagreed, saying that the letter is designed to attract potential developers, not to list every requirement. Mr. Owen agreed.

Motion 2005-0706-02: Mr. Agard moved to approve the letter.

The motion was passed by all Clean Water Commission members present.

Mr. Rupley and Mr. Rowell will work together to finalize the letter for signing by Peter Capell and by a representative of the Clean Water Commission.

Watershed Plan

Mr. Rupley summarized the Watershed Plan. The plan was developed locally with funding from Washington State Department of Ecology. The plan focuses on the following topics:



For an alternate format, contact the Clark County ADA Compliance Office.
V (360) 397-2025; TTY (360) 397-2445; Email ADA@Clark.WA.GOV

- protecting in-stream flows, primarily during the dry times, for environmental functions such as fish habitat
- providing adequate water for population growth by transitioning to new well fields
- water quality issues, using the TMDL as a measure
- aquatic habitat, deferring to the Salmon Recovery Plan

If the plan is adopted, it will be incorporated into the Washington Administrative Code by the Department of Ecology. The plan allows for more coordinated approaches to facing the growth in Clark County while maintaining quality of life, clean water, and fish habitat.

Mr. Rupley will provide a copy of the report to the Clean Water Commission. The Commissioners and staff discussed how best to inform people about these issues and how to get citizens involved.

Mrs. Rasmussen expressed concerns about water rights for irrigation in rural Clark County, and the Commissioners and staff discussed it. Mr. Rupley stated that existing water rights will not be affected.

Capital Improvements Subcommittee Update

Mr. Crawford discussed how the Subcommittee would evaluate Capital Improvement projects and noted that five people are involved in the Committee.

Mr. Soli discussed the criteria for selecting Capital Improvement Projects (CIPs) that the subcommittee is developing. Mr. Owen wants the monitoring staff to provide data to help with the selection of CIPs. Mr. Agard wants all the projects to be evaluated equally rather than as separate groups. Mr. McConathy urged the Commission to seek out an environmental stakeholder such as a representative of Sierra Club, Fish First, or Friends of the East Fork to balance the member who is a building and development stakeholder.

The Commissioners and staff discussed whether or not construction around the Legacy Hospital site at 134th Street will impact CIPs that previously were discounted or put on the back burner.

Mrs. Rasmussen questioned choosing CIPs that may be annexed by the cities. Mr. Rowell stated that experience shows that annexation agreements account for the continuance or maintenance of the stormwater capital projects.

Mr. Agard wants the subcommittee to be made up primarily of Clean Water Commissioners – not outsiders.

Mr. Owen solicited comments on the criteria to be submitted to Mr. Soli over the next couple of weeks. Mr. McConathy asked for the criteria to list measurable effects, such as pounds of a nutrient removed.

Mr. Agard, Mr. Stubbs and Mrs. Rasmussen agreed that the subcommittee have made a very good start.

Memorialization of the Luncheon with the Board of County Commissioners

Mr. Rowell listed the recommendations from the luncheon, which were:

- Commissioners Stuart asked for a more detailed breakdown of the budget similar to the Projects Activities Report
- Detailing the cost of maintenance for stormwater facilities versus building new capital improvement projects
- Commissioner Stuart asked for an increase in public outreach and education, especially to adults.



Mr. Agard disagreed with needing more outreach to adults because the program has significant outreach to adults. The Commission and staff discussed how to use the poster contest results to increase outreach.

The Commission and staff discussed how to differentiate a retrofit of a stormwater facility from a capital improvement project. The group decided that clarification is needed.

Assistant Engineering Technician Position

Mr. Rowell described Henry Schattenkerk's position. Mr. Agard asked the Commission to accept the explanation from the packet, and the Commission agreed.

Other Items

Mr. Agard asked for clarification from Water Resources staff on the following items:

- In the 2003-2004 biennium, the program overspent the Regulation and Enforcement line item by \$126,000 but in the next biennium only budgeted an additional \$20,000
- The 2006 Water Quality Monitoring Database budgets \$637,000 for Outside Services, which is a large increase
- In the 2003-2004 biennium the program spent \$842,000 on the Public Education and Outreach category, which is less than the amount budgeted, however the new budget proposes \$1.2 million, a significant increase
- A financial breakdown on the Small Acreage Program since the content is not related solely to Clean Water Program objectives

Mr. Rowell explained that Community Development often does not bill until several quarters after service is provided, making meeting the budget for Regulation and Enforcement difficult.

Mr. Stubbs asked Mrs. van Breemen to forward an invitation to the WSU Extension Volunteer Recognition BBQ to all the Clean Water Commissioners and he encouraged all to attend.

Mr. Owen requested the formation of an Education Subcommittee, to which Mr. Stubbs, Mr. Agard and Mrs. Rasmussen agreed. Mr. Stubbs suggested a study in the Green Meadows subdivision that would show the effects of education programs.

Adjourn

The meeting adjourned at 8:45 P.M.

Next Meeting

The next meeting of the Clean Water Commission will be held on Wednesday, August 3, 2005 at the Public Works Maintenance and Operations Conference Room, 4700 NE 78th Street from 6:30 P.M. – 8:30 P.M.

Respectfully Submitted,
Trista Kobluskie

